

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In Re:

DHC REALTY, LLC,

Debtor,

DHC REALTY, LLC, CHOWAIKI
HOLDINGS, LLC, EL PASO DHC
ENTERPRISES, LLC, EL PASO DHC
ENTERPRISES FAR EAST, LLC,
EL PASO DHC ENTERPRISES
WEST, LLC, and DAVID CHOWAIKI

Plaintiffs,

v.

Case No.: 11-30977-hcm

ARMANDO ARMENDARIZ,
YVETTE ARMENDARIZ, and
HECTOR ARMENDARIZ,

Defendants.

Adversary No.: 12-03012-hcm

ARMANDO ARMENDARIZ and
YVETTE ARMENDARIZ

Counterclaimants

v.

DHC REALTY, LLC, CHOWAIKI
HOLDINGS, LLC, EL PASO DHC
ENTERPRISES, LLC, EL PASO DHC
ENTERPRISES FAR EAST, LLC,
EL PASO DHC ENTERPRISES
WEST, LLC, DAVID CHOWAIKI, and
HILEL CHOWAIKI

Counterdefendants

DEFENDANTS' DISCLOSURE OF REBUTTAL EXPERT

TO THE HONORABLE COURT:

Defendants Armando Armendariz, Yvette Armendariz, and Hector Armendariz (collectively "Defendants"), by their undersigned counsel, file the following Disclosure of Rebuttal Expert, as per the Court's Scheduling Order of September 6, 2012:

1. The only rebuttal expert currently designated by Defendants is Matt C. Kerr, CPA as follows:

Matt C. Kerr, CPA
Lauterbach, Borschow, & Company
4130 Rio Bravo Dr., Suite B
El Paso, Texas 79902
(915) 544-6950

2. Mr. Kerr is a CPA who is an expert in real estate and small business, including restaurants, taxation compliance, and consulting, and is expected to testify as a rebuttal expert to Plaintiffs' designated expert, Douglas A. Little, C.P.A. C.V.A. Mr. Kerr has reviewed the expert report prepared by Mr. Douglas Little and prepared the attached rebuttal expert report (Exhibit 1).

3. No other rebuttal experts have been designated at this time, however additional rebuttal experts may be designated to contradict or rebut any experts designated by Plaintiffs.

Respectfully submitted,

FIRTH◆JOHNSTON◆MARTINEZ
Attorneys for Defendants
415 North Mesa, Suite 300
El Paso, Texas 79901
Phone: (915) 532-7500
Fax: (915) 532-7503

/s/ Christopher R. Johnston
CHRISTOPHER R. JOHNSTON
State Bar No. 10834200

DIAMOND LAW
Attorneys for Defendants
3800 North Mesa Street
El Paso, Texas 79902
Phone: (915) 532-3327
Fax: (915) 532-3355

/s/ Sidney J. Diamond
SIDNEY J. DIAMOND
State Bar No. 5803000

CERTIFICATE OF SERVICE

I, Sidney J. Diamond, do hereby certify that on December 31, 2012, a true and correct copy of the foregoing Defendants' Disclosure of Rebuttal Expert, was served via electronic means as listed on the Court's ECF noticing system or by depositing the same in the United States Mail, properly addressed and postage prepaid, to the following parties:

THE DEBTOR:

DHC Realty, LLC
301 Williams
El Paso, TX 79901

THE DEBTOR'S ATTORNEY:

Corey W. Haugland
P.O. Box 1770
El Paso, TX 79949-1770